

COMPLETEDPATENT & TRADEMARK
PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

2005 OCT 17 PM 3:32

US PATENT & TRADEMARK
OFFICE

Appl. No.	:	10/532,354
Applicant	:	Makoto Takemoto
Filed	:	April 22, 2005
Title	:	"COMMUNICATION APPARATUS"
Confirmation No.	:	9056
TC/A.U.	:	TBD
Examiner	:	TBD
Customer No.	:	052054
Docket No.	:	38161

REQUEST FOR REFUND

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Refund Section, Accounting Division
Office of Finance

Sir:

The above-identified application was filed on April 22, 2005. Included with the application was a check for \$1390.00 which included the \$900.00 application fee, the \$360.00 multiple dependent claim fee as well as a \$130.00 under 37 CFR 1.492(h) for the late filing of a Declaration and Power of Attorney. However, the \$130.00 fee was erroneously indicated in the late filing of an English translation in the PTO-1390 transmittal.

Applicant responded to a Notice of Missing Requirements, dated August 23, 2005, in September 1, 2005, indicating that the \$130.00 Declaration surcharge was paid for at the time of filing.

09/13/2005 KNAVEACH 00000140 10000000

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: Refund Section, Accounting Division Office of Finance on the date indicated below.

Jeffrey J. Sopko
Name of Attorney for Applicant(s)

October 12, 2005
Date

Signature of Attorney

Application No.: 10/532,354
October 12, 2005
Page 2 of 2

PATENT EXAMINER
DATE

2005 OCT 17 PM 3:32

On September 13, 2005, applicant's deposit account was charged the \$130.00 although it was paid for at the time of filing and applicant noted this in the response to the Notice of Missing Requirements.

Accordingly, applicant hereby requests a refund in the amount of \$130.00.

Please credit the refund to our Deposit Account No. 16-0820, Order No. 38161.

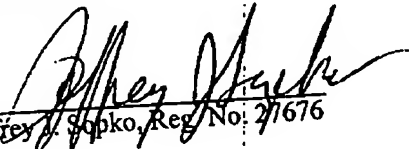
Enclosed are the following in support of the request:

- PRO-1390 indicating the \$130.00 fee was paid
- Copy of check stub dated April 21, 2005 in the amount of \$1390.00
- Copy of transmittal letter dated September 1, 2005 in response to Notice of Missing Requirements indicating the \$130.00 Declaration fee was paid

Respectfully submitted,

PEARNE & GORDON LLP

By:


Jeffrey A. Sopko, Reg. No. 27676

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

October 12, 2005

Adjustment date: 05/22/2006 RENTAL
09/13/2005 INKATPAH 00000149 100000 1000000
01 FC:1617 130.00 CR

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LETTER

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

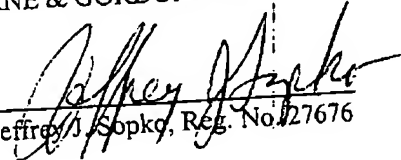
Sir/Madam:

In response to the Notification of Missing Requirements dated August 23, 2005, applicant encloses herewith the required Declaration and Power of Attorney. A check for the \$130.00 late filing fee surcharge was included with the original filing fee paid on April 22, 2005.

If there are any further fees resulting from this communication not covered by the enclosed check, or if no check was enclosed, please charge the same to Deposit Account No. 16-0820, Order No. 38161.

Respectfully submitted,
PEARNE & GORDON LLP

By:


Jeffrey J. Sopko, Reg. No. 27676

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

September 1, 2005

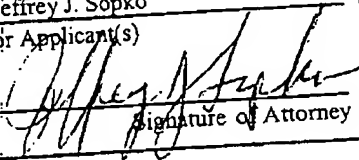
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Jeffrey J. Sopko

Name of Attorney for Applicant(s)

September 1, 2005

Date


Signature of Attorney

64460

1.390.00

APPL'N, DECLIN

***1.390.00

PEARNE & GORDON LLP



04/21/2005 NCB.38161

PTO-1390 (Rev. 02-2005)

Approved for use through 3/31/2007, OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**ATTORNEY'S DOCKET NUMBER
38161

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.
PCT/JP03/07041INTERNATIONAL FILING DATE
03 June 2003 (03.06.2003)PRIORITY DATE CLAIMED
24 October 2002 (24.10.2002)

TITLE OF INVENTION

COMMUNICATION APPARATUS

APPLICANT(S) FOR DO/EO/US

TAKEMOTO, Makoto; IMAMURA, Daichi; SUDO, Hiroaki

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. and Form PTO-1449
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Express Mail Certificate, International Search Report, Check for \$1390.00

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20503-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, U.S. Patent and Trademark Office, Washington, DC 20503-1450.

PTO-1390 (Rev. 02-2005)

Approved for use through 3/31/2007, OMB 0651-0021

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/JP03/07041		ATTORNEY'S DOCKET NUMBER 38161	
The following fees have been submitted				CALCULATIONS	
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$	300.00
22. <input checked="" type="checkbox"/> Examination fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$	200.00
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$	400.00
TOTAL OF 21, 22 and 23 =				\$	900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
23	- 100 = 0	/50 = 0	x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	9	- 20 = 0	x \$ 50	\$	
Independent claims	1	- 3 = 0	x \$200	\$	
			+ \$360	\$ 360.00	
MULTIPLE DEPENDENT CLAIM(S) (If applicable)					
TOTAL OF ABOVE CALCULATIONS =				\$ 1260.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/3.					
SUBTOTAL =				\$ 1260.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	130.00
TOTAL NATIONAL FEE =				\$ 1390.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 1390.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 1390.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-0280. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Customer Number: 052054</p>					
				<p>SIGNATURE <i>Jeffrey A. Sopko</i> NAME Jeffrey A. Sopko</p>	
				<p>27676 REGISTRATION NUMBER</p>	